

English. Abbreviations may not be used unless specifically authorized by this subchapter. Identification numbers must be preceded by “UN” or “NA”. The use of an identification number preceded by “PIN” is not authorized.

(7) Shipments must conform to the requirements for emergency response information in subpart G of part 172 of this subchapter.

(8) A Class 7 material must conform to the provisions of §171.12(d) of this subchapter;

(9) For a hazardous waste as defined in this subchapter—

(i) The word “Waste” must precede the proper shipping name on shipping papers and packages; and

(ii) The requirements of §172.205 of this subchapter with respect to hazardous waste manifests are applicable;

(10) A hazardous substance as defined in this subchapter must conform to the requirements of §§172.203(c) and 172.324 of this subchapter; and

(11) A poisonous material must conform to the requirements of §172.203(m) of this subchapter.

(12) [Reserved]

(13) When the provisions of this subchapter require that a DOT specification or UN standard packaging must be used for a hazardous material, a packaging authorized by the TDG Regulations may be used only if it corresponds to the DOT specification or UN packaging authorized by this subchapter. Cylinders not manufactured to DOT specifications must conform to the requirements of §173.301(i) and (j) of this subchapter.

(14) Any ammonium nitrate fertilizer or ammonium nitrate mixed fertilizer must not meet the definition and criteria of a Class 1 (explosive) material.

(15) Transportation of marine pollutants, as defined in §171.8 of this subchapter, must conform to the requirements of §§172.203(1) and 172.322 of this subchapter.

(16) Except as provided for limited quantities of compressed gases in containers of not more than 4 fluid ounces capacity under §173.306(a)(1) of this subchapter, aerosols must meet the definition for “Aerosol” in §171.8.

(17) A chemical oxygen generator must be approved in accordance with

the requirements of this subchapter. A chemical oxygen generator and a chemical oxygen generator (spent) must be classed, described and packaged in accordance with the requirements of this subchapter.

(18) An organic peroxide that is not identified by technical name in the Organic Peroxide Table in §173.225(b) of this subchapter must be approved by the Associate Administrator in accordance with the requirements of §173.128(d) of this subchapter.

[Amdt. 171–111, 55 FR 52473, Dec. 21, 1990, as amended at 56 FR 66160, Dec. 20, 1991; 57 FR 45453, Oct. 1, 1992; Amdt. 171–116, 57 FR 52935, Nov. 5, 1992; Amdt. 171–153, 62 FR 24700, May 6, 1997; 62 FR 30770, June 5, 1997; 64 FR 10753, Mar. 5, 1999; 64 FR 45396, Aug. 19, 1999; 64 FR 50262, Sept. 16, 1999; 64 FR 51720, Sept. 24, 1999; 64 FR 51915, Sept. 27, 1999; 66 FR 33336, June 21, 2001; 66 FR 44255, Aug. 22, 2001]

§ 171.14 Transitional provisions for implementing certain requirements.

General. The purpose of the provisions of this section is to provide an orderly transition to certain new requirements so as to minimize any burdens associated with them.

(a) *Previously filled packages*—(1) *Packages filled prior to October 1, 1991.* Notwithstanding the marking and labeling provisions of subparts D and E, respectively, of part 172, and the packaging provisions of part 173 and subpart B of part 172 of this subchapter, a package may be offered for transportation and transported prior to October 1, 2001, if it—

(i) Conforms to the old requirements of this subchapter in effect on September 30, 1991;

(ii) Was filled with a hazardous material prior to October 1, 1991;

(iii) Is marked “Inhalation Hazard” if appropriate, in accordance with §172.313 of this subchapter or Special Provision 13, as assigned in the §172.101 table; and

(iv) Is not emptied and refilled on or after October 1, 1991.

(2) *Non-bulk packages filled prior to October 1, 1996.* Notwithstanding the packaging provisions of subpart B of part 172 and the packaging provisions of part 173 of this subchapter with respect to UN standard packagings, a non-bulk package other than a cylinder may be

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offered for transportation and transported domestically prior to October 1, 1999, if it—

- (i) Conforms to the requirements of this subchapter in effect on September 30, 1996;
- (ii) Was filled with a hazardous material prior to October 1, 1996; and
- (iii) Is not emptied and refilled on or after October 1, 1996.

(b) *Transitional placarding provisions.* Until October 1, 2001, placards which conform to specifications for placards in effect on September 30, 1991, or placards specified in the December 21, 1990 final rule may be used, for highway transportation only, in place of the placards specified in subpart F of part 172 of this subchapter, in accordance with the following table:

PLACARD SUBSTITUTION TABLE

Hazard class or division No.	Current placard name	Old (Sept. 30, 1991) placard name
Division 1.1	Explosives 1.1	Explosives A.
Division 1.2	Explosives 1.2	Explosives A.
Division 1.3	Explosives 1.3	Explosives B.
Division 1.4	Explosives 1.4	Dangerous.
Division 1.5	Explosives 1.5	Blasting agents.
Division 1.6	Explosives 1.6	Dangerous.
Division 2.1	Flammable gas	Flammable gas.
Division 2.2	Nonflammable gas	Nonflammable gas.
Division 2.3 ¹	Poison gas	Poison gas.
Class 3	Flammable	Flammable.
Combustible liquid	Combustible	Combustible.
Division 4.1	Flammable solid	Flammable solid.
Division 4.2	Spontaneously combustible	Flammable solid.
Division 4.3	Dangerous when wet	Flammable solid W.
Division 5.1	Oxidizer	Oxidizer.
Division 5.2	Organic peroxide	Organic peroxide.
Division 6.1, (inhalation hazard, Zone A or B) ¹ ...	Poison inhalation hazard	Poison.
Division 6.1, PG I (other than Zone A or B inhalation hazard), PG II, or PG III.	Poison	Poison.
Class 7	Radioactive	Radioactive.
Class 8	Corrosive	Corrosive.
Class 9	Class 9	(none required).

¹ For materials poisonous by inhalation, by all modes of transportation, until October 1, 2001, placards may be used that conform to specifications for placards (1) in effect on September 30, 1991, (2) specified in the December 21, 1990 final rule, or (3) specified in the July 22, 1997 final rule.

(c) *Non-specification fiber drums.* A non-specification fiber drum with a removable head is authorized for a liquid hazardous material in Packing Group III that is not poisonous by inhalation for which the packaging was authorized under the requirements of part 172 or part 173 of this subchapter in effect on September 30, 1991. This authorization expires on the date on which funds are authorized to be appropriated to carry out chapter 51 of title 49, United States Code (related to transportation of hazardous materials), for fiscal years beginning after September 30, 1997. Information concerning this funding authorization date may be obtained by contacting the Office of the Associate Administrator.

(d) A final rule published in the FEDERAL REGISTER on June 21, 2001, effective October 1, 2001, resulted in revisions to this subchapter. During the

transition period, until October 1, 2002, as provided in paragraph (d)(1) of this section, a person may elect to comply with either the applicable requirements of this subchapter in effect on September 30, 2001, or the requirements published in the June 21, 2001 final rule.

(1) *Transition dates.* The effective date of the June 21, 2001 final rule is October 1, 2001. A delayed compliance date of October 1, 2002 is authorized. On October 1, 2002, all applicable regulatory requirements adopted in the June 21, 2001 final rule in effect on October 1, 2001 must be met.

(2) *Intermixing old and new requirements.* Prior to October 1, 2002, it is recommended that the hazard communication requirements be consistent where practicable. Marking, labeling, placarding, and shipping paper descriptions should conform to either the old

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requirements of this subchapter in effect on September 30, 2001, or the new requirements of this subchapter in the June 21, 2001 final rule without intermixing communication elements. However, intermixing is permitted, during the applicable transition period, for packaging, hazard communication, and handling provisions, as follows:

(i) If either shipping names or identification numbers are identical, a shipping paper may display the old shipping description even if the package is marked and labeled under the new shipping description;

(ii) If either shipping names or identification numbers are identical, a shipping paper may display the new shipping description even if the package is marked and labeled under the old shipping description; and

(iii) Either old or new placards may be used regardless of whether old or new shipping descriptions and package markings are used.

(3) Until October 1, 2003, the KEEP AWAY FROM FOOD labeling and placarding requirements in effect on September 30, 1999, may continue to be used in place of the new requirements for Division 6.1, Packing Group III materials.

(4) Until January 1, 2010, a hazardous material may be transported in an IM or IMO portable tank in accordance with the T Codes (Special Provisions) assigned to a hazardous material in Column (7) of the HMT in effect on September 30, 2001. (See §173.32(c) of this subchapter for the continued use and manufacture of portable tanks.)

(5) Until October 1, 2005, proper shipping names that included the word “inhibited” prior to the June 21, 2001 final rule in effect on October 1, 2001, may continue to be shown on packagings in place of “stabilized.”

[Amdt. 171–131, 59 FR 67406, Dec. 29, 1994, as amended by Amdt. 171–132, 60 FR 26799, 26800, May 18, 1995; Amdt. 171–138, 60 FR 48786, Sept. 20, 1995; Amdt. 171–139, 61 FR 7958, Feb. 29, 1996; Amdt. 171–150, 62 FR 1227, Jan. 8, 1997; Amdt 171–153, 62 FR 24700, May 6, 1997; 62 FR 29676, June 2, 1997; 62 FR 39404, July 22, 1997; 63 FR 52847, Oct. 1, 1998; 64 FR 10753, Mar. 5, 1999; 64 FR 50263, Sept. 16, 1999; 64 FR 51915, Sept. 27, 1999; 66 FR 33336, June 21, 2001; 66 FR 45378, Aug. 28, 2001; 67 FR 15739, Apr. 3, 2002]

EFFECTIVE DATE NOTE: At 67 FR 53133, Aug. 14, 2002, §171.14 was amended by adding para-

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graph (e), effective Oct. 1, 2002. At 67 FR 54967, Aug. 27, 2002, the effective date was corrected to Feb. 14, 2003. For the convenience of the user, the added text is set forth as follows:

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(e) A Division 6.2 label conforming to specifications in §172.432 of this subchapter in effect on September 30, 2002, may be used until October 1, 2005.

§ 171.15 Immediate notice of certain hazardous materials incidents.

(a) At the earliest practicable moment, each carrier who transports hazardous materials (including hazardous wastes) shall give notice in accordance with paragraph (b) of this section after each incident that occurs during the course of transportation (including loading, unloading and temporary storage) in which—

(1) As a direct result of hazardous materials—

(i) A person is killed; or

(ii) A person receives injuries requiring his or her hospitalization; or

(iii) Estimated carrier or other property damage exceeds \$50,000; or

(iv) An evacuation of the general public occurs lasting one or more hours; or

(v) One or more major transportation arteries or facilities are closed or shut down for one hour or more; or

(vi) The operational flight pattern or routine of an aircraft is altered; or

(2) Fire, breakage, spillage, or suspected radioactive contamination occurs involving shipment of radioactive material; or

(3) Fire, breakage, spillage, or suspected contamination occurs involving shipment of infectious substances (etiologic agents); or

(4) There has been a release of a marine pollutant in a quantity exceeding 450 L (119 gallons) for liquids or 400 kg (882 pounds) for solids; or

(5) A situation exists of such a nature (e.g., a continuing danger to life exists at the scene of the incident) that, in the judgment of the carrier, it should be reported to the National Response Center even though it does not meet